

**REMARKS**

**STATUS OF THE CLAIMS**

In accordance with the foregoing, claims 1, 6, 8, 10, 12 and 14 have been amended. Claims 1-4, 6, 8, 10, 12 and 14 are pending and under consideration.

No new matter is being presented and approval of the amended claims is respectfully requested.

**REJECTIONS OF CLAIMS 1-4, 6, 8, 10, 12 AND 14 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER SUSSKIND IN VIEW OF MAISSEL ET AL. (U.S. 2003/0088872) AND OFFICIAL NOTICE**

The rejections of claims 1-4, 6, 8, 10, 12 and 14 are respectfully traversed and reconsideration is requested.

Maissel et al. (hereinafter "Maissel") is directed to a system by which a program guide is customized according to a user's preference. Maissel teaches the function of reporting the necessity of recording a program that the user may want to record. The notice sent to the user includes only a suggestion of recording a program.

Susskind is directed to a system that allows a user to set or modify, via the Internet, information about programmed recordings managed by a server. Thereby, the user is allowed to control the functions of a recording device located at a remote site. In Susskind, the basic premise is that the user initiates the modification to the information regarding a programmed recording.

In the Response to Arguments, at page 2, item 1, of the Action, the Examiner states that the independent claims do not explicitly recite that the message sent via email to a mobile communication terminal of the user requests permission to alter the control information. Therefore, according to the Examiner, "an instruction to carry out a task, issued by the user, constitutes at least permission by said user to carry out said task – regardless of whether the permission was ever requested."

Therefore, the Examiner states that since Susskind discloses altering the scheduled recording values by adding, removing, or otherwise editing scheduled recording values in response to instructions sent by the user, Susskind reads on "altering the control information based on the alteration information in response to permission sent from the mobile communication terminal of the user responding to the message," as recited in independent claim 1, for example.

Susskind discloses that when a change is made to a user account, the internet remote control server 32 establishes a communication with the video recording device 30 in order to change its settings. ([0043]). Susskind also states that the video recording device 30 is capable of checking whether a change is made to a user account in the server 32, by checking if an "update available" data bit flag is employed to the user account. ([0047]). However, Susskind neither teaches nor suggests sending, to the user, an email including a request for permission to alter the control information.

On the contrary, according to the present invention, a message is sent, requesting permission to alter the control information, via email to a mobile communication terminal of the user. Then, the control information is altered based on the alteration information in response to permission sent from the mobile communication terminal of the user responding to the message.

Therefore, claims 1, 6, 8, 10, 12 and 14, are amended herein to further clarify that the message includes a request for permission to alter the control information. Thus, according to the amended independent claims, the control information is explicitly altered in response to the permission sent by the user terminal.

Susskind does not teach or suggest the features of the independent claims, described above. Further, Maissel is merely cited as disclosing sending an alert to remind a viewer to record a program, where the alert is a component of the user's customized program guide, via email. Maissel makes no mention of requesting permission from the user terminal to alter the control information, and altering the control information in response to the permission sent from the user terminal.

On page 6 of the Action, the Examiner states that Susskind and Maissel fail to disclose requesting permission to alter the control information. Thus, the Examiner takes Official Notice that it is well known in the art to request permission to alter/update scheduled recordings, such as prompting a user to confirm the scheduling of a future recording.

However, it is respectfully submitted that it is not well known in the art, prior to Applicants' disclosure to send a message via email to a mobile communication terminal of the user, said message including a request for permission to alter the control information, as recited in amended independent claim 1, for example.

Therefore, it is respectfully submitted that independent claims 1, 6, 8, 10, 12 and 14 patentably distinguish over the prior art. As a result, it is further submitted that the dependent claims also patentably distinguish over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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